



FOR IMMEDIATE RELEASE

**East Central Regional Human Rights Authority
Coles County Jail
Report of Findings
Case #20-060-9013**

The East Central Human Rights Authority (HRA) of the Illinois Guardianship and Advocacy Commission (IGAC) voted to pursue an investigation of the Coles County Jail in Charleston after receiving the following complaints of possible rights violations:

Complaints:

1. Improper restraint

If the allegations are substantiated, they would violate protections under the County Jail Standards (20 Ill. Adm. Code 701.40).

Complaint Summary: The East Central HRA received a complaint about overuse of restraints with detainees. The complaint stated that policies are not being followed on the use of restraints and medical staff are not notified when a patient is in restraints per the policy. The HRA decided to review the policy and procedures of the facility.

Investigation

The HRA proceeded with the investigation. To pursue the matter, the HRA conducted a site visit via WebEx and jail representatives were interviewed. Relevant practices and policies were reviewed.

Interviews:

On October 29th, 2020 at 2 pm, the HRA met with Coles County staff members, including: The Jail Administrator and one officer. The meeting occurred via WebEx. The meeting began with introductions and a review of HRA procedures.

The staff provided some general information about the Coles County Jail. The Coles County Jail can house up to 160 inmates, however they typically have around 100-110 inmates. There are 19 officers, 4 command officers and a jail administrator on staff. Training for the officers consists of 5 weeks of state training and 4 months of internal training including field training. Staff stated the jail houses people arrested in Coles County. However, for this incident the jail was temporarily housing an inmate for another jail.

Staff stated it takes approximately 4-6 months for an officer to be fully trained and allowed to work independently. The officers are trained on how to deescalate a situation. Officers are supplied with stun cuffs and tasers if needed but the officers have good verbal skills and are typically able to deescalate a situation. Staff stated the restraint chair is used if a detainee is out of control and a danger to themselves or others. Staff are not provided much information on a detainee upon their arrival. Mental health history is typically unknown for detainees that arrive at the jail unless the individual has previously been incarcerated or mental illness is disclosed. Officers are trained on mental health, but it is not always clear if a detainee has a mental health diagnosis or is under the influence of a substance. Staff will place a detainee with a mental illness in the restraint chair if the detainee is out of control but will work with a physician to get the detainee medication.

Officers are trained on the use of the restraint chair during their field training. Staff stated every officer at the Coles County Jail is trained on how to properly use and secure an inmate in the restraint chair. The officer's restraint chair training consists of reviewing the jail's policy, learning how to use the various straps, and the importance of joint rotation. The policy on the use of the restraint chair requires a minimum of 2 officers to secure an inmate, but 3 officers is preferred.

Staff stated they will keep a detainee in the restraint chair until the detainee is calm and no longer a threat to themselves or others. Staff sometimes must keep detainees in the restraint chair for 24 hours or longer but would prefer the detainee not be in the chair for a long period of time. Staff will contact a physician if a detainee is in the chair more than 6 hours. Staff stated the detainee is checked every 15 minutes while in the restraint chair and this check is electronically documented. Staff will monitor the detainee and make sure the detainee uses the restroom and gets up regularly, verifying the detainee's joints are rotated.

The Coles County Jail currently has 2 restraint chairs which are on wheels. Whenever the chair is used, it is placed in a room with a camera. The camera is monitored by an officer in the control room. The chair has a locking mechanism to prevent the chair from moving or tipping while a detainee is in the chair. Staff use nylon straps that lock with a buckle to restrain a detainee in the chair. Officer's secure the detainee's arms, legs and waist with a strap. Also, there is a strap that criss crosses around the detainee's shoulders and chest. Staff explained that the regularity of the restraint chair use varies depending on the detainee's behavior. Whenever the restraint chair is used, a report is filed with Illinois Department of Corrections Office (IDOC).

When an arrestee arrives at the jail, the arrestee is asked a series of medical questions. Staff also inquire about mental health issues. Staff stated mental health counselors come into the jail two times a week to meet with inmates. If there is a mental health emergency with an inmate and the mental health counselor is not available, a local service is contacted. Staff stated inmates can also be transported to the Emergency Room for a mental health evaluation.

Policy Reviews:

The HRA was provided a copy of policy 205 titled: "Emergency Restraint Chair". The policy states "The emergency restraint chair is intended to help control combative, self-destructive, or

potentially violent arrestees/inmates...” Under training and certification, the policy states “Officers will be trained by the Coles County Sheriff’s Office Jail Administrator or his/her designee prior to utilizing the emergency restraint chair...” Under supervisory and medical staff notification the policy states “The Coles County Sheriff’s Office Jail Administrator is to be advised immediately after an arrestee/inmate is placed in the emergency restraint chair. The Coles County Sheriff’s Office physician will be notified in the event an inmate or detainee is in the emergency restraint chair in excess of six hours.”

The HRA was also provided a copy of a revised policy on the use of the emergency restraint chair. There was no date on the policy to know when the policy was revised. Staff stated the policy was revised recently due to an incident. The revisions occurred under the duration of occupancy and the documentation sections of the policy. In the new policy the duration of occupancy states “Inmates will be removed from the restraint chair when they demonstrate improved self-control and the ability to follow the officer’s instructions. Belts and straps need to be periodically loosened to insure adequate blood flow. Circulation checks of the arms and legs as well as range of motion exercises must be performed and documented every hour while an inmate is restrained in the chair. Any injuries or noted changes in the inmate’s condition will be reported to the jail physician. During mealtimes, one hand will be released from the restraint to allow the inmate to eat. An officer will maintain direct supervision of the inmate during this time and secure the free hand when the inmate is finished eating.” Under the documentation section of the policy the changes to the policy state: “Circulation checks, range of motion and physical activity will be documented while the inmate is in the chair utilizing our electronic cell check system. Those records will be added to the inmate file upon removal from the restraint chair an unusual occurrence report will be prepared to submit to IDOC Office of Detention and Standards along with a copy of the informational report.”

The Coles County Jail provided a copy of policy 207: “Handling Violent Arrestee/Inmates”. The policy states “Officer of the Coles County Sheriff’s Office will restrain violent or combative arrestees/inmates in such a manner so that the individual does not harm himself/herself or anyone within the Coles County Jail. Officers will attempt to utilize restraint methods designed to minimize injury to the inmate/arrestee. Violent/combative individuals shall also be restrained from damaging departmental equipment of the Coles County Jail itself.” Under Placing an inmate in restraints, the policy states: “Arrestees/inmates who cannot control themselves will be dead-locked in their own cell or placed, forceful if necessary, in a holding-isolation cell or a restraint chair, depending upon their conduct. Violent or combative arrestees/inmates may be placed in the departmentally supplied humane restraint, handcuffs, or restraint chair in an effort to subdue them, however, as soon as they are able to control themselves in an acceptable manner, such restraint device shall be removed.”

The HRA was provided a copy of the inmate rules and regulations. Staff stated the inmate rules and regulations are posted electronically in the inmate’s cell to be reviewed. There is a section in the rules and regulation on inmate complaints which states “If you believe you are not being treated fairly; your needs are not being met; or we are not in compliance with Illinois County Jail Standards, you are encouraged to respectfully bring it to our attention. Grievance forms can be found on the HomeWAV kiosk. Your complaint will be addressed by a sergeant or the jail administrator and returned to you. You will be provided a hard copy of your complaint upon

request. You will not be provided multiple copies of your complaint. If you cannot express your complaint in a concise manner and you file multiple grievances to address a single issue you will be charged \$.25 per page for a hard copy of your complaint. If you have exhausted all internal avenues and still found no relief, you may choose to file a complaint through the Illinois department of corrections bureau of inspections and audits. The IDOC inspector will respond to your complaint in written form. Correspondence with the bureau of inspections is privilege mail and should be sealed prior to having the officers pick it up.” The address for the Jail and Detention Standards Unit of IDOC is listed for inmates. The rules and regulation list several names and phone numbers for local attorneys.

The Coles County Jail provided a copy of a supply log report in reference to one inmate. The supply log report documents the joint rotation/movement for the inmate while in the restraint chair. The date of the report is 3/14/2020-3/15/2020. The HRA noticed the following gaps between joint rotation checks for this inmate: A 1 hour and 58 minute gap between 1205 hours and 1404 hours, 4 hours and 55 minute gap between 1419 hours and 1914 hours, a 1 hour and 23 minute gap between 2103 hours and 2226 hours, a 3 hours and 23 minute gap between 2226 hours and 0149 hours and a 5 hour and 57 minute gap between 0149 hours and 0746 hours. The HRA also received a copy of the security check log for the same inmate and dates. There was a total of 43 checks on 3/14/2020 and 32 checks on 3/15/2020. The security check log indicated several gaps longer than 30 minutes including, a 1 hours and 2-minute gap between 0137 hours and 0239 hours, a 1 hours and 3-minute gap between 0415 hours and 0518 hours and a 59-minute gap between 0617 hours and 0716 hours.

Conclusions

The County Jail Standards (20 Illinois Administrative Code 701.40) states “Persons who may be authorized to use a control device, such as chemical agents, oleoresin capsicum (OC), electro-muscular disruption devices, restraint chairs, batons, etc., in accordance with the jail's written policy, shall be trained in the proper employment of the device. Training shall be documented. 1) Control devices shall be used only as a last resort to bring detainees under the necessary degree of control and only after thorough consideration of alternative means and of the hazards involved, including the physical characteristics of the area where it is to be used. A record of the occurrence shall be documented. 2) Detainees affected by the control device used shall be given a thorough medical examination and appropriate treatment immediately after security control has been gained.” The Coles County Jail emergency restraint chair policy states “Officers will be trained by the Coles County Sheriff’s Office Jail Administrator or his/her designee prior to utilizing the emergency restraint chair. Officers will read and understand the Coles County Sheriff’s Office Emergency Restraint Chair Policy. Officers will demonstrate to the Coles County Sheriff’s Office Jail Administrator or his/her designee the proper use of the emergency restraint chair by securing a test subject without the use of the instructions from other. Documentation of this training will be placed in each officer’s personnel file.”

The County Jail Standards (20 Illinois Administrative Code 701.160) states “A written report shall be placed on file whenever restraint devices are applied in accordance with subsection (j)(1). Additionally, each individual case shall be reviewed at least once every 24 hours to determine the necessity for restraints.” The Coles County Jail policy on emergency restraint chair

states “An informational report is to be completed each time an arrestee is placed in the restraint chair. This report will be placed in the inmates file. A master log will be kept in the control room listing all inmates who have been placed in the restraint chair.”

The County Jail Standards (20 Illinois Administrative Code 701.40) states “Jail sections housing persons who are escape risks, suicidal or mentally disturbed or impaired, or who present special security concerns, shall be given appropriate care and supervision and checked more frequently than the standard 30-minute check.” The Coles County Jail provided copies of the security check log that notated several gaps in excess of 30 minutes.

The Coles County Jail policy on emergency restraint chair states “Circulation checks of the arms and legs as well as range of motion exercises must be performed and documented every hour while an inmate is restrained in the chair.” The Coles County Jail provided copies of the supply log which documents when joint rotation is done with the inmate while in the restraint chair. The documentation shows several gaps longer than one hour in between joint rotations. Staff stated there was an incident which caused policy 205: Emergency Restraint Chair to be updated. However, the old version of policy 205 stated “Circulation checks of arms and legs and knees will be done at regular intervals.” The supply log does not indicate regular intervals between joint rotation for the inmate as the checks appear to be random as the times in between checks are all different. It is unknown when the new policy took effect so the HRA cannot determine if the logs provided fall under the new or old policy. However, based on the documents provided to the HRA it does not appear the Coles County Jail was following either policy as the times in between checks were not in regular intervals or every hour as the policies state.

Based on the findings notated above the East Central Human Rights Authority concludes the complaint is **substantiated**. The Human Rights Authority makes the following **recommendations**:

1. The Coles County Jail re-train staff on policy 205 and the use of the restraint chair.
2. The Coles County Jail verify all range of motion checks are conducted and documented hourly as stated in policy 205.
3. All staff be re-trained on providing supervision and documenting checks at least every 30 minutes to follow County Jail Standards

The HRA was never provided policy regarding suicide watch to review, and because of this the HRA **strongly suggests** the Coles County Jail develop a policy on suicide watch and observation of possible suicidal inmates, if they have not already. It is also **strongly suggested** that the Coles County Jail date any policies that are created or updated.

The HRA respectfully requests that The Coles County Jail provide the HRA with evidence that staff have been re-trained as recommended.

RESPONSE

Notice: The following page(s) contain the provider response. Due to technical requirements, some provider responses appear verbatim in retyped format.
